

AMENDMENT UNDER 37 CFR § 1.111
Serial No. 10/801,711

REMARKS

A total of 15 claims remain in the present application. The foregoing amendments are presented in response to the Office Action mailed September 22, 2005, wherefore reconsideration of this application is requested.

By way of the above-noted amendments, independent claims 1, 6 and 11 have been amended to more distinctly define features of the present invention. Claims 3, 10 and 15 have been amended to reflect the revisions effected in claims 1, 6, and 11, respectively.

In preparing the above-noted amendments, careful attention was paid to ensure that no new subject matter has been introduced.

Referring now to the text of the Office Action:

- claims 1, 2, 6-9 and 11-14 stand rejected under 35 U.S.C. § 102(b), as being unpatentable over the teaching of United States Patent No. 6,222,660 (Traa); and
- claims 3-5, 10 and 15 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As an initial matter, applicant appreciates the Examiner's indication of allowable subject matter in claims 3-5, 10 and 15. The Examiner's rejection of claims 1, 2, 6-9 and 11-14 under 35 U.S.C. § 102(b) is believed to be traversed by the above-noted claim amendments, and further in view of the following discussion.

Independent claims 1, 6 and 11 have been amended to define that current and previous values of the performance parameter are compared, an adjustment step size and direction are calculated based on the comparison result, and the bias point adjusted based on the calculated adjustment step size and direction. As the Examiner has indicated that this subject matter patentably defines over prior art, it is believed that amended claims 1, 6 and 11 now define allowable subject matter.

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Thus it is believed that the present application is in condition for allowance, and early action in that respect is courteously solicited.

If any extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this response, such extension is hereby respectfully requested. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 19-5113.

Respectfully submitted,



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